

**Bradley Beach Zoning Board of Adjustment
Regular Meeting Minutes
Thursday, August 15, 2019 at 6:30 PM**

Meeting is called to order by Chair Rosenberg at 6:33 PM. The Board and the public recite the Pledge of Allegiance.

Open public meeting announcement is made by the Board Secretary.

Roll Call:

Present: Michael Affuso, Dominic Carrea, Raymond Wade, David Critelli, Deborah Bruynell, and Harvey Rosenberg

Absent: Robert Quinlan, Dennis Mayer, Deidre Phillips, Alexis Bouhoutsos

Also Present: Mark G. Kitrick, Esq. - Attorney to the Board and Gerald Freda, PE, PP, CME – Board Engineer

Approved Meeting Minutes:

July 18, 2019 Regular Meeting Minutes - Motion to accept offered by Harvey Rosenberg, seconded by Michael Affuso, all present in favor.

Resolutions Memorialized: None.

Applications Under Consideration:

ZB19/06 – Use Variance for Expansion of a Non-Conforming Use with associated Bulk Variances for Proposed Additions – Ellen DeSarno – Block 26, Lot 14 – 106 McCabe Avenue

Michael J. Wenning, Esq. – Attorney for the applicant indicates this is a multi-family home with a cottage in the rear. The Applicant is seeking to convert the multi-family home into a single family home.

Ms. DeSarno & Mr. Teeter are sworn in with Gerald Freda, Board Engineer

Mark Kitrick, Esq. indicates there are only 6 members present this evening. Mr. Wenning indicates his client wishes to move forward with the understanding they will need 5 votes in the affirmative.

Christopher Teeter, RA – provides his qualifications and is accepted by the Board.

Mr. Teeter describes the existing conditions of the site and the proposal to change the front house to a single family home to be utilized as a permanent residence. The footprint of the home is remaining the same with the exception of the right rear corner addition which is proposed to be built over existing impervious area.

Exhibit A-1 – 3 photos (top left is the existing home)

Exhibit A-2 – Color Renderings

Third floor is ½ or less than the 2 stories below it but over the square footage to be considered a ½ story.

The second floor contains the kitchen, sunroom, master bath and master bedroom.

The first floor contains two (2) bedrooms, bath, kitchenette (no cooking surface) and a toilet in the full-sized basement.

There is a 60/40 split for the third floor with a total of 1,100 s.f.

The Applicant agrees to remove the existing shed.

The Use Variance being requested is only for having 2 principal structures on the lot.

Ellen DeSarno indicates the property was purchased as a 3-family.

It is indicated the existing cottage is 535 square feet and the distance to the house is not compliant with existing ordinance.

Dominic Carrea questions whether or not they tried to conform to the existing ordinance with this design.

Mr. Teeter indicated a lot of the variances being requested are existing conditions.

Jerry Freda indicates new variances include the third story, third floor deck, and side yard setback.

Michael Affuso questions how many bedrooms are in the cottage? It is indicated there are 2 bedrooms.

Ellen DeSarno indicates she has owned the property with Patty since 2001. They have a 23-year old son and she has been a lifetime resident of Bradley Beach. She indicates she works as a financial advisor and she wishes to replicate her office in the city in order to be able to work from home and enjoy the ocean views.

Opened for Public Comment on the Use Variance portion ONLY:

Maryann Spillman – 902 Ocean Avenue – indicates this is a great idea to make this home a 1 family and the resident will be working there all day as well.

Dominic Ianora – 100 McCabe Avenue – feels this would improve the neighborhood.

Mr. Wenning provides a summation on the Use Variance being requested as well as the necessary criteria in support of same.

Harvey Rosenberg makes a motion to approve the Use Variance with the condition that the existing 2-family residence be converted to a single-family residence with the existing building, moved and seconded by Dominic Carrea – All present in favor.

Mark Kitrick explains the bifurcation of the application and the number of votes required.

7:15 PM – Hearing on Bulk Variances requested begins

Mr. Wenning and Mr. Teeter review the Leon S. Avakian, Inc. report.

1. Existing front porch is non-conforming and not changing.
2. Proposing 3rd floor deck – Mr. Teeter provided an interpretation as it was unclear.
3. Rear Addition – needs variance because it is being extended along the existing building line which does not comply with the setback.
4. 3rd story requires a variance
5. Building Coverage – there will be an increase of 1% but this does not trigger a variance even with the cottage and shed.
6. Impervious Coverage – 79.25% is existing – this is not increasing – no variance needed.
7. Distance between structures – 6 feet is existing and adding a small addition increases the mass being this close to the cottage and existing side yard horizontal expansion of a pre-existing non-conforming condition.

Ellen DeSarno indicates they can currently fit 6 cars diagonally in the driveway. The Applicant and her professionals agree to work with Jerry Freda to eliminate some of the impervious area but still maintain 6 parking spaces.

Harvey Rosenberg questions whether the room and deck can be shortened?

Ellen DeSarno indicates she does not want to make the 3rd story smaller.

****BOARD TAKES A BRIEF RECESS at 7:50 PM and RETURNS AT 8:01 PM – BOARD RETURNS AND ALL MEMBERS STILL PRESENT.**

Mr. Wenning indicates they are now looking for a 50/50 split because of the stairway. It is indicated they can reduce the third story to 53% by bringing in the front wall and making the porch 47%.

Mr. Teeter indicates he can reduce to 53% office space at 579 s.f.). The Applicant is willing to make the bathroom a powder room instead of a full bath.

The shed will be removed and applicant and her professionals will work with Jerry on reducing the lot coverage.

Maryann Spillman – questions the Board’s comment on “a lot of variances” – Dominic Carrea indicates more than 1

Dominic Ianora – questions whether there will be a problem with runoff? Jerry Freda asks if there is a problem today? Mr. Ianora indicates no. Jerry explains that the applicant is required to maintain runoff and he does not anticipate any change with this proposal.

Deborah Bruynell – questions if the 3rd floor deck will become a standard? – Mark Kitrick explains that each application must stand on its own.

OPEN FOR PUBLIC COMMENT:

Patty VanCauwenberge – sworn in – indicates she is the wife of Ellen DeSarno – indicates in early 2000, the 2-family home immediately next door was approved 17 variances and she and Ellen are here tonight just trying to do the right thing.

Maryann Spillman – 902 Ocean Avenue – doesn't feel 5 variances for a house this old is "a lot". They should value ocean views.

Michael Wenning, Esq. summarizes the application, requests, and applicant's willingness to make changes as requested.

The conditions are reviewed:

1. Reduction in Impervious Coverage
2. Draw back the front wall to reduce office to 53%
3. Change proposed 3rd floor full bathroom to a powder room.
4. Remove existing shed.

Based upon the application submitted and the testimony provided, Michael Affuso makes a motion to approve the application with the amendments and conditions as discussed and agreed to, moved and seconded by Raymond Wade.

Those in favor: Michael Affuso (w/comment), David Critelli (w/comment), Deborah Bruynell, Raymond Wade, Dominic Carrea (w/comment), Harvey Rosenberg (w/comment)

Those opposed: None.

Those abstained: None.

Those absent: Robert Quinlan, Dennis Mayer, Deidre Phillips, Alexis Bouhoutsos

ADJOURNMENT:

WITH NO FURTHER BUSINESS BEFORE THE BOARD A MOTION TO ADJOURN WAS OFFERED BY CHAIR ROSENBERG AND SECONDED BY ROBERT QUINLAN, ALL IN FAVOR. MEETING CLOSED AT 8:26 PM.

NEXT SCHEDULED MEETING WILL BE OUR REGULAR MEETING ON THURSDAY, SEPTEMBER 19, 2019 AT 6:30 PM HERE IN THE MUNICIPAL COMPLEX MEETING ROOM.

Minutes submitted by Kristie Dickert, Board Secretary